

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

~~00-6284-CR~~  
CASE NO. ~~03-60967-CIV~~ LENARD/WHITE

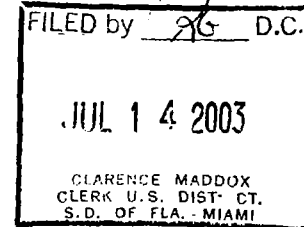
DAVID ISRAEL ALTMAN,

Movant,

vs.

UNITED STATES OF AMERICA,

Respondent.



**ORDER ADOPTING MAGISTRATE'S REPORT AND GRANTING MOVANT'S  
MOTION FOR RETURN OF PROPERTY PURSUANT TO FED.R.CR.P. 41(e)**

THIS CAUSE is before the Court on the Report of United States Magistrate Judge Patrick A. White (D.E. 3), issued June 18, 2003. Movant filed a response on July 1, 2003. (D.E. 4.) Upon de novo consideration of the Report, the response and the record, the Court finds as follows.

On May 21, 2003, Movant filed the instant Motion for Return of Property Pursuant to Fed.R.Cr.P. 41(e). (D.E. 1.) In that Motion, Movant requests an order directing the government to return certain items of property, namely computer disks unrelated to the crime of conviction, seized by the FBI during a search of his home. Id. In its Response to Movant's Motion, the Government concedes that any disks which do not contain visual depictions of child pornography should be returned to Movant. The Government requests six-months to comply. Thus, the Magistrate Judge recommends that the Court grant Movant's motion and allow the Government six months to comply with the Court's Order.

39  
[Signature]

(D.E. 3.) In his Response, the Movant does not object to the Magistrate Judge's recommendation and agrees to allow the Government the time they need to return his property. (D.E. 4.) Accordingly, it is

**ORDERED AND ADJUDGED** that:

1. The Report of United States Magistrate Judge Patrick A. White (D.E. 3), issued June 18, 2003, is **ADOPTED**.

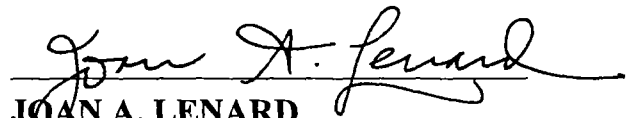
2. The Motion for Return of Property Pursuant to Fed.R.Cr.P. 41(e) (D.E. 1), filed on May 21, 2003, by David Israel Altman, is **GRANTED** consistent with this Order.

3. The Government shall return any computer disk or other property seized from Movant's residence, which does not contain visual depictions of child pornography or other information relating to the collection of child pornography, within six months from the date of this Order.

4. The case is **CLOSED**.

5. All motions not otherwise ruled upon by separate order are **DENIED AS MOOT**.

**DONE AND ORDERED** in Chambers at Miami, Florida this 14 day of July, 2003.

  
**JOAN A. LENARD**  
**UNITED STATES DISTRICT JUDGE**

cc: U.S. Magistrate Judge Patrick A. White

David Israel Altman, pro se

All counsel of record

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